

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA  
Richmond Division**

**JOHN L. RUSH, JR.,**

**Plaintiff,**

**v.**

**CAROLYN W. COLVIN,  
Commissioner of Social Security,**

**Defendant.**

**CIVIL NO. 3:13cv452-HEH**

**FINAL ORDER**

**(Adopting Report and Recommendation of the Magistrate Judge)**

This matter is before the Court on the Report and Recommendation of the Magistrate Judge (R&R) entered on January 28, 2014 (ECF No. 22). The time to file objections has expired and neither party has objected to the R&R. Having considered the matter and deeming it otherwise proper and just to do so, it is hereby ORDERED:

- (1) The Report and Recommendation of the Magistrate Judge (ECF No. 22) is ACCEPTED and ADOPTED as the OPINION of the Court.
- (2) Defendant's Motion to Dismiss (ECF No. 14) is GRANTED.
- (3) Plaintiff's Complaint (ECF No. 3) is DISMISSED without prejudice.
- (4) This case is CLOSED.

Let the Clerk of the Court send a copy of this Final Order to Plaintiff and all counsel of record.

It is so ORDERED.

Richmond, Virginia

Date: Feb 21, 2014

ACH

/s/

Henry E. Hudson  
United States District Judge